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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER	
LASHLEY, LAUREL L	

ART UNIT	PAPER NUMBER
2132	

DATE MAILED: 09/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/086,746	PARRY, TRAVIS J.	
	Examiner	Art Unit	
	Laurel Lashley	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 July 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) *18 and 19* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17 and 20-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1 – 17 and 20 – 23 are pending and have been examined. Claims 18 – 19 have been cancelled.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 07/20/2006 has been entered.

Response to Arguments

3. Applicant's arguments filed 07/20/2006 have been fully considered but they are not persuasive.

Applicant asserts (with regard to claims 1, 11, and 20) that Docter does not describe "each at least one prespecified characteristic independently selected from a group consisting of... a file type, a file string, a source computer identifier, a user identifier, a file size, a password, time of transmission, cumulative number of files sent by a user, cumulative number of files sent by a user over a given time, file string, and time-consuming print commands." Rather, Applicant asserts that Docter describes using profile data as the filter criteria, such as, user-specific information, user roles, and user class and therefore, Docter does not describe the prespecified characteristics of the claimed invention. The Examiner respectfully disagrees. While Docter, for the purpose of simplifying the description of the invention, relies on user profile data as the filter criteria, the reference also states that "any number of filtering parameters or attributes may be used to filter data" and "any method or procedure for filtering data can be used with the present [Docter] invention". (see column 3, lines 30 – 40) Therefore, the Examiner

believes that the filtering parameters or attributes as well as the method or procedure of Docter for filtering data to be equivalent to the Applicant's prespecified characteristics.

It is also the Applicant's argument (with regard to claim 11) that Docter does not describe "evaluating at least one prespecified characteristic of said printing packet by a processor of said printer" but rather any filtering occurs prior to the printer of Docter receiving any data. The Examiner respectfully disagrees. The invention of Docter which is essentially a data filtering system recites that the teachings of the "invention are applicable to any type of device containing a processor or a controller capable of executing instructions." (see column 3, lines 20 - 22) Therefore, the Examiner believes that Docter teaches that through the functionality of a system bus, various components are coupled and through any processing device (i.e. printer), implementation of the steps necessary to perform data filtering operations can be achieved (see column 9, lines 51 - 56 and Figure 11). According to these assertions, Examiner believes a printer, when coupled with the data filtering system (by way of a processor) is capable of controlling printing of a file.

With regard to Applicant's assertion (with respect to claim 20) that Docter does not describe "a packet including at least one file to be printed.., the packet, prior to filtering, further including instructions for a printer, the instructions comprising.., information about a source of media onto which printing of said at least one file is to be effected, information about orientation in which said at least one file is to be printed on a media, information about whether printing is to be effected on one or two sides of a media, information about a number of copies to be printed, or information about whether multiple copies should be collated" and, prior to filtering, does not include "instructions for a printer", the Examiner respectfully disagrees. Again, the data filtering system of Docter is "applicable to any type of device containing a processor or a controller capable of executing instructions." (see column 3, lines 20 - 22) Therefore, a printer is

equivalent to the "any type of device" of Docter and would receive corresponding printer instructions.

Similarly the Applicant argues (with regard to claim20) that Docter does not describe "allowing printing of said at least one file to be printed by the destination device based on at least one of a presence or absence of at least one prespecified characteristic from said packet including said at least one file to be printed" in short, that Docter does not describe "allowing printing" based on the results of the filtering. The Examiner respectfully disagrees with Applicant's assertion based on previously mentioned rationale regarding adapting the invention of Docter to "any type of device". (see column 3, lines 20 – 22) The Examiner believes that after a printer has received printer instructions based on the data filtering process, in order for the printer to realize its functionality, it would have to allow printing (since the data filtering process has filtered undesired data not permitted to print).

Claims not specifically identified are rejection for reasons indicated below.

Claim Objections

4. Claims 1, 11 and 20 objected to because of the following informality:

- The claims recite "file string" twice, providing no distinction one from the other; therefore the Examiner has interpreted this repetition to be an error. Appropriate correction is required either by deletion or clarification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1 – 17 and 20 – 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Docter in US Patent No. 6330610 (hereinafter US '610).

As it relates to claim 1, US '610 teaches:

A printing system, comprising:

a printer including: (see Figure 10, and column 10, line 7: where it is inherent that printing can be preformed)

a processor; and (see column 9, line 52)

a printing component in communication with said processor (see column 9, line 56); and

a filtering program associated with said processor so as to control printing of a file by said printing component based on at least one of a presence or absence of at least one prespecified characteristic from a packet including said file, (see Figure 11; column 1, line 66: a system for filtering data; column 10, line 10 – column 11, lines 1 – 7) each at least one prespecified characteristic independently selected from a group consisting of: a file type, a file string, a source computer identifier, a user identifier, a file size, a password, time of transmission, cumulative number of files sent by a user, cumulative number of files sent by a user over a given time, file string, and time-consuming print

commands. (see column 3, lines 30 – 40: any number of filtering parameters or attributes may be used to filter data).

For claim 2, US '610 teaches:

The printing system of claim 1, wherein said filtering program is stored by at least one of a memory device and firmware of said printer associated with said processor (see Figure 10 and column 9, lines 51 – 65).

For claim 3, US '610 teaches:

The printing system of claim 1, wherein said filtering program is stored by at least one of a memory device and firmware external to said printer and in communication with said processor (see Figure 10 and column 9, lines 51 – 65).

For claim 4, US '610 teaches:

The printing system of claim 3, further comprising:

a computer including said at least one of said memory device and said firmware, a processor in communication with said at least one of said memory device and said firmware, and a communication port for at least partially establishing communication between said processor of said computer and said processor of said printer (see Figure 10 and column 9, lines 51 – 65 and column 10, lines 1 – 9).

For claim 5, US '610 teaches:

The printing system of claim 1, wherein said at least one prespecified characteristic comprises at least one of an undesirable characteristic (see column 2, line 2: first filter criteria) and a desirable characteristic (see column 2, line 5: second filter criteria).

For claim 6, US '610 teaches:

The printing system of claim 5, wherein said filtering program causes said processor to prevent said printing component from printing a file of a packet having at least one said undesirable

characteristic (see column 10, lines 32 – 33: where filtering is based on data received; and column 2, lines 14 – 15: where the profile data set contains elements associated with particular class of recipients).

For claim 7, US '610 teaches:

The printing system of claim 5, wherein said filtering program instructs said processor to cause said printing component to print a file of a packet having said desirable characteristic (see column 10, line 62: where filter data processing code determines the destination of packet).

For claim 8, US '610 teaches:

The printing system of claim 5, wherein said filtering program instructs said processor to cause said printing component to print said file only if said packet lacks said undesirable characteristic and has said desirable characteristic (column 3, line 17: where unwanted data is eliminated).

For claim 9, US '610 teaches:

The printing system of claim 5, wherein said undesirable characteristic comprises one of a file type, a file string, a source computer identifier, a user identifier, a file size, and at least one prespecified command (column 2, line 2; and column 3, lines 34 – 40: where it is inherent that criteria can be designated within specified criteria).

For claim 10, US '610 teaches:

The printing system of claim 5, wherein said desirable characteristic comprises one of a source computer identifier, a user identifier, a file type, and a password (column 2, line 5; and column 3, lines 34 – 40).

As it pertains to claim 11, US '610 teaches:

A device-specific filtering method, comprising:

transmitting a printing packet comprising at least one file from a source computer, across a network, to a printer of said network (see column 10, line 66: where instances can be altered to Applicant's invention) ;

evaluating at least one prespecified characteristic of said printing packet by a processor of said printer, each at least one prespecified characteristic independently selected from a group consisting of: a file type, a file string, a source computer identifier, a user identifier, a file size, a password, time of transmission, cumulative number of files sent by a user, cumulative number of files sent by a user over a given time, file string, and time-consuming print commands. (see column 3, lines 30 – 40: any number of filtering parameters or attributes may be used to filter data; column 10, line 32: where evaluation is performed by the data filter code which determines packet content based on coding); and

controlling processing of said at least one file of said printing packet by said printer based on said evaluating (see column 10, line 62: where controlling is performed by the filter data processing code which determines the destination of packet).

For claim 12, US '610 teaches:

The device-specific filtering method of claim 11, wherein said evaluating at least one prespecified characteristic comprises evaluating at least one of an undesirable characteristic and a desirable characteristic (see column 10, line 32).

For claim 13, US '610 teaches:

The device-specific filtering method of claim 12, wherein said controlling comprises preventing processing of said at least one file of said printing packet by said printer if said printing packet has at least one said undesirable characteristic (see column 3, line 17 and column 10, line 62).

For claim 14, US '610 teaches:

The device-specific filtering method of claim 12, wherein said controlling comprises permitting processing of said at least one file of said printing packet by said printer if said printing packet has said desirable characteristic (see column 3, line 17 and column 10, line 62).

For claim 15, US '610 teaches:

The device-specific filtering method of claim 12, wherein said controlling comprises permitting processing of said at least one file of said printing packet by said printer if said printing packet lacks said undesirable characteristic and has said desirable characteristic (see column 3, line 17 and column 10, line 62).

For claim16, US '610 teaches:

The device-specific filtering method of claim 12, wherein said evaluating comprises evaluating said printing packet for at least one said undesirable characteristic comprising at least one of a file type, a file string, a source computer identifier, a user identifier, a file size, and at least one prespecified command (see column 10, line 32 and column 2, line 2).

For claim 17, US '610 teaches:

The device-specific filtering method of claim 12, wherein said evaluating comprises evaluating said printing packet for at least one said desirable characteristic comprising at least one of a source computer identifier, a user identifier, a file type, and a password (see column 10, line 32 and column 2, line 5).

As it relates to claim 20, US '610 teaches:

A system for filtering a file transmitted to a destination device, comprising:

a processor in communication with a network across which the file has been transmitted; and (see Figure 10 and column 3, lines 26 – 29)

a filtering program associated with said processor so as to control at least one of transmission of a packet including at least one file to be printed to the destination device and

allowing printing of said at least one file to be printed by the destination device based on at least one of a presence or absence of at least one prespecified characteristic from said packet including said at least one file to be printed (see Figure 11; column 1, line 66; and column 10, line 10 – column 11, lines 1 – 7), each at least one prespecified characteristic independently selected from a group consisting of: a file type, a file string, a source computer identifier, a user identifier, a file size, a password, time of transmission, cumulative number of files sent by a user, cumulative number of files sent by a user over a given time, file string, and time-consuming print commands, the packet prior to filtering, further including the instructions for a printer, the instructions comprising: (see column 3, lines 30 – 40: any number of filtering parameters or attributes may be used to filter data)

information about a source of media onto which printing of said at least one file is to be effected, information about orientation in which said at least one file is to be printed on a media, information about whether printing is to be effected on one or two sides of a media, information about a number of copies to be printed, or information about whether multiple copies should be collated (see column 3, lines 20 – 22: where a printer ("any type of device") is "capable of executing instructions" of printer type).

For claim 21, US '610 teaches:

The system of claim 20, wherein said filtering program is stored by at least one of a memory device and firmware (see Figure 10 – 11 and column 9, line 59: ROM; and column 10, line 23: interface code).

For claim 22, US '610 teaches:

The system of claim 21, wherein said processor and said memory device or said firmware are parts of the destination device (see Figure 10 and column 10, lines 7 – 9: where a printer can be destination device).

For claim 23, US '610 teaches:

The system of claim 21, wherein said processor and said memory device or said firmware are parts of a computer in communication with the destination device (see Figure 10 and column 9, line 51 – column 10, lines 1 – 9).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Banginwar in US Patent No. 6611863 discloses using a filter to identify one or more matching (desirable) characteristics of devices in order to route them to corresponding device proxies. Jeyachandran et al. in US PGPub No. 2003/0007178 discloses printing received information based on printing parameters that were previously established.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurel Lashley whose telephone number is 571-272-0693. The examiner can normally be reached on Monday - Thursday, alt Fridays btw 7:30 am & 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron, Jr. can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Laurel Lashley
Examiner
Art Unit 2132

12 September 2006

GILBERTO BARRON JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100